

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

Southeastern Metals Manufacturing Company, Inc.

Plaintiff,
v.
The Guttershutter Manufacturing Company, et al.
Defendant.

CERTIFICATION
Civil No. 08-CV-570

MEDIATION CERTIFICATION

A mediation session was held on: June 2, 2009

Case has settled. The parties have been instructed to file a stipulation for dismissal pursuant to Rule 41.1 of the Local Rules of Civil Procedure for the Western District of New York.

Case has settled in part. The parties have been instructed to file a stipulation setting forth the resolved claims within five (5) business days from the mediation session.

Case has not settled. Mediation will continue on:

Case has not settled. Mediation is complete. The case will proceed toward trial pursuant to the Court's scheduling order.

Date: Buffalo, New York
June 3, 2009

/s/ Hugh M. Russ, III
Mediator